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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------|------------------------|
| 10/508,912 | 09/23/2004 | Bernard Grehant | 92936 | 8162 |
| 24628 | 7590 | 02/08/2008 | | |
| WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606 | | | EXAMINER NGUYEN, NAM V | |
| | | | ART UNIT 2612 | PAPER NUMBER |
| | | | MAIL DATE 02/08/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|--------------------------|------------------------|--|---------------------|--|
| Interview Summary | Application No. | | Applicant(s) | |
| | 10/508,912 | | GREHANT, BERNARD | |
| | Examiner | | Art Unit | |
| | Nam V. Nguyen | | 2612 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Nam V. Nguyen. (3) Erik B. Flom (Reg. No. 41,021).
 (2) _____. (4) _____.

Date of Interview: 1/31/08.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 10-18.

Identification of prior art discussed: Chen et al. (6,452,483).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


BRIAN ZIMMERMAN
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant argued that the '483 patent teaches changing the mode of operation via DIP switches. Operating parameters that are used by a mode can be transmitted. The present Claims are directed to an executable program, not operating parameters, being transmitted. Chen et al. disclose a remote programming unit and a programming transmitter transmit a set of value that describes a possible configuration for the base controller. the values in the programming memory can be altered by the user of the remote programming unit (column 6 lines 7 to 39; see Figure 4) .Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore, Chen discloses the programming transmitter (i.e. the device) transmit programming values so that the base controller alters the operation of the actuator, the base controller (i.e. the processing program) being stored in directly executable form..

